

TITLE 4. CALIFORNIA STATE ATHLETIC COMMISSION

NOTICE IS HEREBY GIVEN that the California State Athletic Commission (hereinafter "commission") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at Office of Administrative Hearings, Pacific Ocean Room 2nd Floor, 320 West Fourth Street, Los Angeles, California, 90013 at 10:00 am, on Thursday, January 27, 2005. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the commission at its office at 1424 Howe Avenue, Suite 33, Sacramento, California, 95825 not later than 5:00 p.m. on January 27, 2005 or must be received by the commission at the hearing. Written comments may also be faxed to this phone number (916) 263-2197 or e-mailed to this e-mail address Sal_Barajas@dca.ca.gov. The commission, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 18611 of the Business and Professions Code, and to implement, interpret or make specific Sections 18640, of said Code, the commission is considering changes to Division 2 of Title 4 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Section 18611 of the Business and Professions Code authorizes the commission to adopt, amend, or repeal, regulations as may be necessary to carry out the laws relating to boxing and martial arts.

Amend Section: 500; 501; 502; 510; 513; 514; 520; 522; 530; 531; 533

Adopt Sections: 503; 512; 515; 516; 517; 518; 523; 524

Repeal Sections: 521

Currently there are no regulations in place that address full contact mixed martial arts or "submission fighting". This proposal would adopt regulatory language for full contact mixed martial arts type fighting. This proposal also sets out separate

provisions for mixed martial arts and updates the kickboxing regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

The commission has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

Promoters and other mixed martial arts participants such as martial arts fighters, judges, referees and physicians would have the opportunity to earn additional income from the regulation of mixed martial arts as it would become a legal sport.

Impact on Jobs/New Businesses:

The commission has determined that this regulatory proposal by making mixed martial arts legal in the State of California will expand upon existing opportunities for martial arts fighters and create more jobs and businesses in the State of California.

Cost Impact on Representative Private Persons or Business:

Licensees involved in mixed martial arts sport would pay licensing fees to the State of California. A 5% gross gate tax or a minimum of \$1,000 for a professional match would be assessed on each promoter who promotes an event. The licensee fees are currently required of all individuals licensed by the State of California and the 5% or \$1,000 minimum tax is the current practice for all professional level events held in California. The potential jobs afforded the fighters and the revenues that promoters will realize far outweigh the costs incurred by any individual or business.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The commission has determined that the proposed regulations may affect small businesses. Licensed promoters would be required to obtain a license from the commission in order to legally hold a mixed martial arts event in California. Individuals wishing to compete in the legalized mixed martial arts events would need to pay a license application fee to procure a license to compete. The potential jobs afforded the fighters and the revenues that promoters will realize far outweigh the costs incurred by any individual or business.

CONSIDERATION OF ALTERNATIVES

The commission must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

If the mixed martial arts regulations are not adopted, mixed martial arts also known as submission fighting will continue to exist in a covert manner, and it will continue to be unregulated where there is no structure or rules governing these fights. This would result in persons not having the appropriate knowledge or expertise in the martial arts field to properly referee or judge these fights and would subject the fighters to serious injuries or perhaps even death.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The California State Athletic Commission has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California State Athletic Commission at 1424 Howe Avenue Suite 33, Sacramento, California 95825.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries concerning the proposed administrative action may be addressed to:

Names: Sal Barajas

Address: 1424 Howe Avenue, Suite 33, Sacramento, California, 95825.

Telephone No: (916) 263-2195

Fax No: (916) 263-2197

E-Mail Address': Sal_Barajas@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to Sal Barajas at (916) 263-2195.

The backup person for Sal Barajas is as follows:

Names: Frank Munoz

Address: 1424 Howe Avenue, Suite 33, Sacramento, California, 95825.

Telephone No: (916) 263-2195

Fax No: (916) 263-2197

E-Mail Address': Frank_Munoz@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.dca.ca.gov/csac.

last updated 12/02/04 2:30pm